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Response Under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2600

PATENT

ATTORNEY DOCKET NO.: 040894-5703

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	pplication of:	)				
Hirosh	i SAITO	)	Confirmation No.: 1751			
Applic	ation No.: 09/944,101	)	Group Art Unit: 2655			
Filed:	September 4, 2001	)	Examiner: J. Jackson			
For (A	AS Amended): SPEECH RECOGNITION UNIT HAVING HIERARCHICAL DICTIONARIES AND METHOD THEREOF	) G) )				
Randol 401 Du	mer Window, Mail Stop Amendment lph Building alany Street adria, VA 22314		·			
Sir:						
	AMENDMENT TRAI	<u>ISMITT</u>	CAL FORM			
1.	Transmitted herewith is an Amendment results, 2004.	sponding	to the Office Action dated <u>December</u>			
2.	Additional papers enclosed:					
	Verified Translation of Foreign Priority Document No. JP2000-267954  Information Disclosure Statement Form PTO-1449, references included Citations Declaration of Biological Deposit Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.					

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### 3. Extension of Time

-	soceedings herein are in F.R. § 1.136(a) apply.	for a patent applicatio	n and the provisions of				
	Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.						
$\boxtimes$	Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:						
	Total Months Requested	Fee for Extension	[Fee for Small Entity]				
	one month two months three months four months	\$ 120.00 \$ 450.00 \$ 1,020.00 \$ 1,590.00	\$ 60.00 \$ 225.00 \$ 510.00 \$ 795.00				
	Extension of time fee due with this request: \$120.00.						
	If an additional extension of time is required, please consider this a Petition therefor.						
	An extension formonths has already been secured and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.						
Consti	ructive Petition						
	EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).						

4.

## 5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	10	minus	20	0	x \$50 each=	+ \$0.00
Independent Claims (37 C.F.R.§1.16(b))	4	minus	4	0	x \$200 each=	+ \$0.00
[] First presentation of Multiple dependent claim(s) \$360.00						
SUB-TOTAL =						
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$0.00

# 6. Fee Payment

No	fee	is to	be	paid	at	this	time.

- The Commissioner is hereby authorized to charge the amount of \$120.00 to Deposit Account No. 50-0310.
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

By:

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: April 11, 2005

Peter J. Sistare

Registration No. 48,183

CUSTOMER NO. 09629

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Hiroshi SAITO	Confirmation No.: 1751
Application No.: 09/944,101	Group Art Unit: 2655
Filed: September 4, 2001	) Examiner: J. Jackson )
For (As Amended): SPEECH RECOGNITION UNIT HAVING HIERARCHICAL DICTIONARIES AND METHOD THEREOF	) ) ) )

Customer Window, Mail Stop Amendment

Randolph Building 401 Dulany Street Alexandria, VA 22314

Sir:

## AMENDMENT UNDER 37 C.F.R. § 1.116

In response to the Final Office Action dated December 15, 2004, the period for response to which extends through April 15, 2005 by a one-month extension of time petitioned for herein, and pursuant to 37 C.F.R. § 1.116, entry of the following amendment is respectfully requested to place the application in clear condition for allowance or, alternatively, in better form for appeal.

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